

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

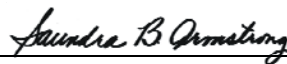
KAWAINE TATE,)	No. C04-05221 SBA
Plaintiff,)	
)	<u>ORDER DISMISSING ACTION</u>
vs.)	
)	
CITY OF BERKELEY,)	
)	
Defendant.)	
)	
_____)	

The Court having been notified of the settlement of this action, and it appearing that no issue remains for the Court's determination,

IT IS HEREBY ORDERED THAT this action and all claims asserted herein are DISMISSED with prejudice. In the event that the settlement is not reached, any party may move to reopen the case and the trial will be rescheduled, provided that such motion is filed within 21 days of this order. All scheduled dates, including the trial and pretrial dates, are VACATED.

IT IS SO ORDERED.

DATED: 2/6/06



SAUNDRA BROWN ARMSTRONG
United States District Judge